



WATER AUDIT CALIFORNIA

A PUBLIC BENEFIT CORPORATION

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July 1, 2025

To Napa County Planning Commission

Sent via email to: meetingclerk@countyofnapa.org

RE July 2, 2025

TESSERON NEW WINERY USE PERMIT APPLICATION NO. P22-00309-UP

To whom it may concern:

Objections to Process

Water Audit California ("Water Audit") is a California public benefit corporation with a mission of advocacy for the public trust. As a result of its experience in Napa County, that mission has been expanded to a mission to ensure integrity in governmental processes that affect the environment.

Our experience over the last years is that our comments have been disregarded and demeaned. The enormous investment of time is derided because our comments are not delivered early to the Planning Commission ("Commission"), for staff convenience, and without any recognition that complete and honest applications would require no comment whatsoever. Given that this is a technical exercise that will be ignored by the process, we will no longer concern ourselves with format. This is written for the record to benefit a later judicial process that may fairly consider its comments.

Water Audit recommends Option 2, Deny Proposed Project, on the basis that the facts support no other conclusion.

The concept of "fact" is unique in Napa. Neither the testimony of the Applicant, Applicant's representatives or witnesses, or the submission of documents is made under the penalty of perjury. In short, Napa Planning is a version of the game "liar's poker."

For example, in a prior matter, Hillwalker, the planner represented to the Commission that an easement existed which does not in fact exist. Naturally there could be no supporting document. Such causal reference to the truth is the norm that facilitates approvals in Napa.

Water Audit has reminded County Counsel that closed caption is required by law however there continues to be no closed caption in remote access of proceedings.

Objections to the Application

There are no spring yield tests or well monitoring data in the agenda packet. The Water Availability Analysis (“WAA”) considered only the spring. There is no WAA peer review. There is no Public Works Groundwater Memorandum. The Conditions of Approval do not include “jointly implemented by Public Works and PBES”, Groundwater Management Demand Program, groundwater/spring extraction acre-foot cap, or no-trucking water condition. There is no easement or water diversion license in the packet.

There are seven springs on the Applicant’s combined parcels, but only one “Lower Spring” is sited. The Overall Site Plan omits the location of other water sources and omits all blueline streams from the winery parcel. It does not include distances between the Lower Spring, spring replacement water source Well No. 2, Well No. 1, septic components, and blueline streams. Well No. 2 is not currently operational.

The historical record is NOT included in the agenda packet and is not referenced in the staff report. It appears that the historical record has not been compared with the Applicant’s statements.

The historical record reveals APN 027-060-023 1975 Water Availability Analysis by Engineer Robert Mahoney recognizing the property sited Dry Creek headwaters (Ex.1):

“On November 4, 1974, prior to the first rains of the season the subject was physically examined by me. Several springs were noted and found to originate on the property of Mr. Maschal. **Dry Creek was found to rise from three or more springs on the lands of Maschal**” (page 14) (emphasis added)

That same historical record included a 1979 Correspondence identifying seven springs: Main Gate, Horse Barn, Spring Across from Horse Barn, Annex Spring, Mercury Mine Spring, Indian Rock Spring, Deer Camp Spring. The spring yield tests with assumed seasonal low flow gallons per minute: 3.0, 0.5, 2.5, 1.5, 4.5, 2.5, 3.3:

“E. Mercury Mine Spring. This spring appears to originate on the adjacent property. There is some difference of opinion as to the property line in this area, and a survey may resolve whether the spring is on or off the property. Flow was measured by Robert Mahoney in the creek fed by the spring. **Flow measurement at this time was by capturing the discharge of a waterfall in the creek fed by the spring.**” (page 7) (emphasis added)

If the Mercury Mine Spring represents the Tessoron winery's Lower Spring, there does not appear to be a license from State for this surface water diversion (https://waterrightsmaps.waterboards.ca.gov/viewer/index.html?viewer=eWRIMS.eWRIMS_gvh#) (Ex. 2)

As an entity concerned with the public well being, including the Applicant, Water Audit notes that the very name of this spring screams alarm, and yet there is no water quality testing. We speak directly to the Applicant : It is you and your guests who are at risk. Testing is very economical. Do not count on the County to protect or inform you.

The historical record reveals APN 027-060-023 1969 Septic permit, and a 1983 pair of memoranda from County Division of Environmental Health discussing a spring as a water system (Ex. 3):

"4/3/84 Subject: Robin Williams, 1100 Wall Road Water System.
Message: Advised Mr. Hall, the general contractor, that their **proposal for spring development was unacceptable**. Suggested they contact an Engineer to work with them. He wanted someone on the site to advise on construction of the system as they excavate - I told him we can't afford to do that. I'd say I would be willing to look at the site the week of April 16-20. He may call back.

5-1-84 Subject: Development of Spring for A.P.N 27-060-14, 19
Message: Met with R. Hunter & Hall Construction at site of spring. **B. Mahorney will submit plan for water system**. Surface diversion will be provided instead of French drain. No other sources of potential contamination in vicinity of spring."
(Page 2/3) (emphasis added)

If these memoranda represents the Tessoron winery's Lower Spring, there does not appear to be a license from the State for this surface water diversion. (See above.)

The historical record reveals APN 027-060-023 1983 Easement pertaining to the grantee (project parcel now APN 027-060-022) receiving only 50% of the spring water system. The other 50% is retained by the grantor on APN 027-060-023 (WAC-Tessoron.Ex4.):

"Parcel Number two shall have a non exclusive appurtenant easement over and across Parcel Number one for the installation and maintenance of spring and water system, including water tank, water pipeline and pressure tank... Parcel Number one shall have a non exclusive right to utilize 1/2 of all water produced from subject spring." (page 2/3)

If this easement represents the Tessoron winery's source spring, it is not identified on the Overall Site Plan.

The historical record reveals APN 027-060-022 1992 Subdivision Tentative Parcel Map Initial Study that identifies the proposed winery parcel as the headwaters to Dry Creek (Ex. 5):

“Dry Creek and its headwaters traverse the entire property” (Page 12)
(emphasis added)

The historical record reveals APN 027-060-023 Yield Tests 1983 March 21 spring flow 5 1/4 gallons per minute after 4 hours, and 1993 January 4 spring flow 7.5 gallons per minute after 6 hours (Ex. 6):

“1. The spring was updated and brought to Environmental health standards in 1983. At that time the spring was developed underground to preclude surface contamination.

2. This spring was developed with gravel backfill and goes into a spring box and then into two 12,000 gallon storage tanks, that are approximately 50 ft from the spring. The water is stored here and then also runs into two more 12,000 gallon storage tanks for downstream use. Total Storage capacity is 48,000 gallons of water.” (Page 2) (emphasis added)

Whether one characterizes this water source as a surface diversion or form of groundwater extraction, the use of water is subject to consideration of the public trust doctrine.

If the cited spring yield test represents the Tesseron winery’s Lower Spring, it is more than double the storage claimed in applicant’s WAA: “The spring directs water to two 10,000-gallon concrete tanks for temporary storage.” (Packet page 163 discussed further below)

The historical record reveals APN 027-060-020 2016 Well Completion Report E16-00172 at a depth of 560 feet, with a 3 hour air-lift test producing 20 gallons per minute, and well driller disclaimer “May not be representative of a well’s long-term yield” (Ex. 7)

If this well completion report represents the Tesseron spring replacement Well No. 2, an air-lift test is not a thorough analysis of the well according to a recent Planning Commission May 7, 2025 Harcross Hearing recommendation by Commissioner Brooks:

“Taking some of these sometimes five, ten, twenty year old reports on wells and then we’re given that as, it’s paper water right? It’s not real water, it’s just this is what a well report from 10 years ago said. And then we’re going to base our WAA on that doesn’t make any sense to me at all. For new wineries it seems to me we ought to be doing a, not an air-lift for 2-hours, but real thorough check of the wells that are being asserted to be the ones that are being used for.” (Granicus Video 1:31:34) (emphasis added)

The Tessoron Winery Use Permit agenda packet includes a CDFW email response to staff dated March 12, 2025, one day before staff uploaded project materials to State Clearing House:

"I noticed that APN 027-060-020 encompasses several blue line streams per California Aquatic Resources Inventory (see screenshot)." (Packet page 425/6) (emphasis added)

The California Aquatic Resources Inventory map source was not incorporated into staff's graphics, applicant's Civil Plans, Consultant's Water Availability Analysis Site Plan, nor Biologist's Figure 6 Aquatic Resources Map. Because CDFW is the trustee agency for the resources subject to analysis, Water Audit will hereinafter reject the term "significant watercourse" sought to be used by PBES to encroach and will adopt the term "blue line stream" herein.

Comparing the California Aquatic Resources Inventory Map with the applicant Overall Site Plan found on the County's Current Project GIS Map USGS layer, it appears Well No. 2 is approximately 518 ft from a headwaters of Dry Creek (a blue line stream), and the Lower Spring is within the setback of another headwaters of Dry Creek. (Ex. 8) Not only is Dry Creek a recognized significant watercourse, it is also the habitat of recognized federally and state protected water-dependent species.

A letter dated October 4, 2022 from staff planner Morrison to Applicant representative Jon Webb requested a site visit:

"11. I would like to arrange a site visit to take site photos and assess a few ephemeral streams (which are noted on our County GIS layer)... See Figure A at end of Review Letter for an aerial showing the County GIS Ephemeral streams." (packet page 373)

However, Figure A narrows in only on the winery site (packet page 380.) It does not include the entire winery project parcel. It omits Lower Spring, Well No. 1, Well No. 2.

Water Audit is unable to determine whether staff visited the site at the Lower Spring and Well No. 2. We question why are there no graphics of the Lower Spring.

The Water Availability Analysis claims spring yield tests were performed:

"According to the landowner, the spring has been flowing since at least 1993. Ray's Well Testing Services prepared a Spring Yield Test and System Inspection report on April 8, 2014. The flowrate was measured to be 4.3 gallons per minute and found to be consistent over a three-hour period. The spring flowrate was also measured to be 2.5 gallons/minute in March 2022 and 1.35 gallons per minute in May 2022..."

The spring directs water to two 10,000-gallon concrete tanks for temporary storage. **According to the landowner, surplus spring water overflows the tanks or spreads out near the spring saturating the soil. No spring water has been observed leaving the estate parcels.**” (packet page 163) (emphasis added)

This is yet another faith-based assertion. The WAA spring yield test documents above are not provided for public review. It is uncertain which of the several springs the yield test is referencing. The WAA storage statement is not consistent with the historical record (see above).

Well No. 1 is within 500 feet of the Lower Spring. Well No.1 has not been analyzed. There is No well permit, WCR, pumping test or monitoring data in the agenda packet. Well No. 1 does not serve the winery project, but it is reported to be serving domestic uses, and surface water for irrigation:

“The primary change includes use of the upper well (Well No. 2 near the solar panels) for domestic use and supplementary irrigation water. The Previous WAA included use of the lower well near the main residence **(Well No. 1) for domestic use, and surface water for irrigation.** These changes and an evaluation of potential impacts are described below. Winery demands will continue to be met with the natural spring at the southwest corner of the property and are not addressed here. **Well No. 1 will no longer be used for this project.**” (packet page 174)

It is unclear what is the source of the “surface water” for irrigation.

The Lower Spring does not appear to have a diversion license. The June 1968 SWRCB License 8578 does not permit stored surface water for irrigation (Ex. 1):

“Now, therefore, it is ordered that:

3. The quantity of **water withdrawn form storage** under License 8578 shall not exceed 4.5 are-feet per annum total **for stock watering, recreational, fire protection, and domestic uses ad evaporation and seepage losses.** Not more than 2.5 acre-feet per annum of the 4.5 acre-feet withdrawal shall be withdrawn for domestic use.” (Page 12) (emphasis added)

As noted above Well No. 2 is within approximately 518 feet of a blueline stream. Well No. 2 has not been analyzed. There is no well permit, Well Completion Report, pumping test or monitoring data in the agenda packet. The WAA supports Well No. 2 water availability with only a 10 year old three hour air-lift test dated April 8, 2016. The WAA Addendum No. 2 states the well is non-operational:

“The residential water uses and irrigation demands will be met by utilizing the existing well located on APN 027-060-020 (Well No. 2). Well No. 2 is located

near the middle eastern portion of the property (see Attachment A). According to the Well Completion Report (No. 0992234), the well is completed into hard rock to a depth of 570 feet. The Well Completion Report also documents a yield of 20 gal/min during a 3-hour water yield air-lift test in 2016. Measured water depths have included 210 feet in October 2016, and 136 feet in March 2024. **The well is not currently operational and a pump and appurtenant facilities would need to be installed before it is used.**” (Packet page 174) (emphasis added)

The Well No. 2 October 2016 and March 2024 measured water depths supporting documents are not in the agenda packet or County record for public review.

The WAA did not analyze all water sources, and it did not perform a Tier 3 analysis for the Lower Spring and Well No. 2:

“**Tier 2** – Well and Spring Interference and **Tier 3** – Groundwater/Surface Water Interaction **are not included at this time** because no groundwater pumping is currently proposed to meet project winery water demands...

Narrative of Proposed Project... The project site has other water demands... these are not part of this WAA analysis. These are existing demands that rely on other water sources.” (packet page 160/1) (emphasis added)

The WAA was not performed in compliance with County WAA Guidance Document Adopted 2015. Not in the agenda packet but found on the County website, the County *Water Availability Analysis (WAA) – Guidance Document Adopted May 12, 2015* has considered injury to a spring, and recommends monitoring and further analysis when pumping data is unknown (<https://www.countyofnapa.org/DocumentCenter/View/1056/Water-Availability-Analysis-Adopted-Policy-May-12-2015-PD>)¹

¹ The WAA application should contain, inter alia, the following information:

“2. Site map of the project parcel and adjoining parcels. The **map should include...** location of existing or proposed project well(s) and **other water sources...**

3. **A narrative...including description of interconnecting plumbing between the various water sources...**

4. **Tabulation** of existing water use compared to projected water use **for all land uses** current and proposed on the parcel. **Should the water use extend to other parcels, the should be included in the analysis...**

PBES and **Public Works (PW) staff will review** the application for completeness and reasonableness” (page 5/6) (emphasis added)

The Initial Study did not report a complete water availability analysis:
“**only identified spring has been assessed**” (packet page 98) (emphasis added)

The Conditions of Approval do not require a complete water availability analysis prior to Planning Commission recommendation to approve the project:

4.20.b Domestic Well:

The residential water uses for the holding shall be met by utilizing the existing well located on APN 027-060-020-000, and not the well located 027-060-022-000. Prior to project Construction and Implementation, **the applicant/property owner shall prepare a revised WAA** to clearly identify the well located on APN 027-060-020-000 as the primary domestic well for the residential uses within the Tessoron holding **and clearly demonstrate that the proposed water use can be met by the wells current design**” (packet page 38) (emphasis added)

County Municipal Code 13.12.170

(https://library.municode.com/ca/napa_county/codes/code_of_ordinances?nodeId=TIT13WASEPUSE_CH13.12WE):

"Spring" means a naturally occurring flow of ground water reaching the surface of the ground which may be developed as a water supply system."

Water Audit notes that the Conditions of Approval inexplicably omit monitoring language regarding the Lower Spring.

“Because springs originate as groundwater, springs are eligible for WAA Tier 2 analysis. It is required that any proposed project wells within 1,500 feet⁹ of natural springs that are being used for domestic or agricultural purposes be evaluated to assess potential connectivity between the part of the aquifer system from which groundwater is planned to be produced and the spring(s). Springs exist in complex hydrogeologic environments. Other substantial evidence in the record may result in the need for such an analysis even though the spring(s) is located a greater distance from the planned well site. Where evaluation of potential connectivity between the project well(s) and springs is required, site-specific spring interference criteria will be established as appropriate for the springs(s) under consideration.

Although the Tier 2 analyses described above relate to mutual well interference and the avoidance of significant interference, potential pumping effects on springs may result in spring flow depletion. Springs are also commonly observed in locations where little to no quantitative records have been kept relating to the spatial occurrence or temporal variability of spring flow. **Therefore, projects located in the vicinity of springs, where potential impacts of pumping are possible but unknown, may require monitoring and further analysis.**” (emphasis added)

Water Audit submits that there are insufficient facts to support Findings No. 4, No. 5, and No.12.

County Policy CON-55 requires hydrogeologic studies. The Water Availability Analysis did not perform a Tier 3 Analysis. The Overall Site Plan, the Water Availability Analysis Site Plan, and the Biological Resources Assessment Figure 6 Aquatic Resources each omit the blueline stream at the Lower Spring site. There is no evidence in the record that supports the spring's extractions *would not* alter critical flows to sustain riparian habitat and fisheries or exacerbate conditions of overdraft.

Water Audit has not been ensured that the winery's change of use water sourced Lower Spring extraction, and Well No. 2, will not cause injury to Dry Creek.

Miscellaneous

There is no proof of publication, rendering the question of whether sufficient notice was provided impossible for review. The attachments did Not include the CEQA Summary Form for Electronic Filing or Completion.

The Application does include signatures, deposit of \$10,000, and receipt number. The Completion Checklist is checked-marked and included Cave setback plan. However, there is No Adjoining Property Owner List.

It is unusual that the County Current Project folder does not include all supporting documents. Instead, it contains only three files: Notice of Intent Public Hearing April, Notice of Intent Public Hearing July, and Notice of Agenda Packet.

The CEQA Summary Form for Electronic Filing and Notice of Completion both included: California Department of Fish and Wildlife (CDFW) - Region 3 Air Resources Board Regional Water Quality Control Board (Regional Water Board) - Region 2 California Department of Forestry and Fire Protection State Water Resources Control Board, Division of Water Rights Department of Water Resources County of Sonoma. However, Napa County R.C.D. is omitted. (<https://ceqanet.lci.ca.gov/2025030568>)

The Public Trust

The public trust is evergreen; every new day of injury or violation creates a new cause of action. "Public rights cannot be lost nor the public trust as to their administration and exercise be destroyed either by adverse possession or by laches or other negligence on the part of the agents of the state or municipality who may from time to time be invested with the duty of their protection and administration." (*San Diego v. Cuyamaca Water Co.* (1930) 209 Cal. 105, 109.) Public agencies have a ministerial duty to consider the public trust interest, and mitigate harm when feasible, when making its daily decisions to divert water, by the operations and/or permitting of well extractions

that impact the Napa River. (See *Envtl. Law Found. v. State Water Res. Control Bd.* (“*Envtl. Law Found.*”) (2018) 26 Cal.App.5th 844, 852.)

Once an appropriation is approved, “the public trust imposes a duty of continuing supervision over the taking and use of the appropriated water.” (*Nat’l Audubon Soc’y v. Superior Court* (“*Audubon*”) (1983) 33 Cal.3d 419, 424.) A public agency is “not confined by past allocation decisions that may be incorrect in light of current knowledge or inconsistent with current needs [and] accordingly has the power to reconsider allocation decisions even though those decisions were made after due consideration of their effect on the public trust.” (*Audubon*, supra, 33 Cal.3d 419, 424; see also *Cal. Trout v. State Water Res. Control Bd.* (1989) 207 Cal.App.3d 585, 629, stating that “the rule in section 5946 pertains to a public trust interest no private right in derogation of that rule can be founded upon the running of a statute of limitations, for the same reasons that one may not acquire an interest in public lands by means of adverse possession.”.)

[T]he determinative fact is the impact of the activity on the public trust resource. If the public trust doctrine applies to constrain fills which destroy navigation and other public trust uses in navigable waters, it should equally apply to constrain the extraction of water that destroys navigation and other public interests. Both actions result in the same damage to the public trust. The distinction between diversion and extraction is, therefore, irrelevant. The analysis begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust.

(*Envtl. Law Found.*, supra, 26 Cal.App.5th 844.)

Tributaries to navigable waterways are also subject to the public trust doctrine. For example, see Fish and Game Code section 711.7. (a) which states in part “The fish and wildlife resources are held in trust for the people of the state ...”

The public trust doctrine imposes independent and unavoidable obligations on trustee agencies overseeing groundwater extraction. California precedent makes clear

that subdivisions of the state² have “a duty to consider the public trust interest³ when making decisions impacting water that is imbued with the public trust,”⁴ and merely complying with CEQA does not discharge that duty.⁵

The public trust requires reconsideration of past or ongoing water use decisions where those decisions were made “without any consideration of the impact upon the public trust.”⁶ Thus, compliance with public trust duties is not discretionary, it is obligatory.

As Napa County is a legal subdivision of the state, it must deal with the trust property for the beneficiary’s⁷ benefit. No trustee can properly act for only some of the beneficiaries – for example the trustee must represent them all, taking into account any differing interests of the beneficiaries, or the trustee cannot properly represent any of them. (*Bowles v. Superior Court* (1955) 44 C2d 574.) This principle is in accord with the equal protection provisions of the Fourteenth Amendment to the US Constitution.

Furthermore, there can be no vested rights in water use that harm the public trust. Regardless of the nature of the water right in question, no water user in the State “owns” any water. Instead, a water right grants the holder thereof only the right to use water, a “usufructuary right”. The owner of “legal title” to all water is the State in its capacity as a trustee for the benefit of the public. Both riparian and appropriative rights are usufructuary only and confer no right of private ownership in the watercourse, which belongs to the State. (*People v. Shirokow* (1980) 26 Cal.3d 301 at 307.)

If at any time the trustee determines that a use of water other than the then current use would better serve the public trust, the State has the power and the obligation to reallocate that water in accordance with the public's interest. Even if the water at issue has been put to beneficial use (and relied upon) for decades, it can be taken from one

² *Env't L. Found. (ELF) v. State Water Res. Control Bd.* (SWRCB) (2018), 26 Cal. App. 5th 844, 868 (“Although the state as sovereign is primarily responsible for administration of the trust, the county, as a subdivision of the state, shares responsibility for administering the public trust and may not approve of destructive activities without giving due regard to the preservation of those resources.”) (internal quotation marks omitted).

³ The Napa River and its tributaries, and the fish within those water ways, are protected public trust resources.

⁴ *Id.* at 863.

⁵ *Id.* at 868.

⁶ *Nat'l Audubon Soc'y v. Superior Ct.* (1983) 33 Cal. 3d 419, 426.

⁷ i.e. people of California

user in favor of another need or use. The public trust doctrine therefore means that no water rights in California are "vested" in the traditional sense of property rights.

Fish & Game Code, section 1600 provides:

The Legislature finds and declares that the protection and conservation of the fish and wildlife resources of this state are of utmost public interest. Fish and wildlife are the property of the people and provide a major contribution to the economy of the state, as well as providing a significant part of the people's food supply; therefore their conservation is a proper responsibility of the state.

The California Department of Fish & Wildlife (CDFW):

... is California's Trustee Agency for the State's fish, wildlife, and plant resources. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitats necessary for biologically sustainable populations of those species. For the purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

([https://wildlife.ca.gov/Conservation/Environmental-Review/CEQA.](https://wildlife.ca.gov/Conservation/Environmental-Review/CEQA))

Respectfully,



William McKinnon
General Counsel
Water Audit California

Environmental

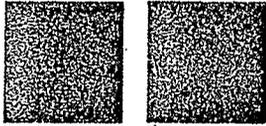
Cover Sheet

APN	027 - 060 - 023 - 000
Permit #	
Program	Well
DocType	COR
Street #	1100
Street Name	Wall Rd
Year	1975



KCC

RECEIVED
CHAUDHARY & ASSOCIATES, INC.
• Engineers • Surveyors • Planners
SEP 12 1979



Napa County Conservation,
Development & Planning Commission

3754 BEL-AIRE PLAZA
NAPA, CALIFORNIA 94558
Telephone: (707) 255-2729

KAILASH C. CHAUDHARY, P.E.
Registered Civil Engineer
Planner

August 14, 1979

BRYNFAN TYDDYN - PROJECT DESCRIPTION

The proposed planned development, Brynfan Tyddyn, is located at the northern end of Wall Road in Napa County and lies between Bald Mountain and Mt. St. John. The entire development comprises approximately 628 acres, 593 acres of which are in Napa County; it comprises portions of Sections 23 and 24 of Township 7 North, Range 6 West, MDB & M.

The applicant proposes to subdivide the parcels as follows:

- a) 13 parcels of approximately 5 acres apiece
- b) 1 parcel of approximately 81 acres
- c) Adjust the lot line of an existing parcel on the southwest corner with a resulting area of 15 acres.

The remaining 459 acres will remain in perpetuity as common use space. The Common Use Space would have hiking trails and bridle paths, portions of which are already in existence. The Common Use Space will be granted in fee title to the Napa County Land Trust; the Homeowners would then lease the Common Use Space for their exclusive use from the Land Trust. The roads in the development would be constructed to County Standards and dedicated to the County of Napa.

The lots are to be sold individually and the buyers would then build their own homes. A set of conditions, covenants, and restrictions will be drawn up that will set specific guidelines for house siting, exterior and roof treatment, etc., such that the homes will blend into the hillsides to the greatest possible extent. At present, the Applicant wishes only to construct the roads and improve the springs/water distribution system to County Standards. Individual driveways and house pads will be constructed in the future at such time as the lots are purchased and built upon.

The water supply for the subdivision will be from springs on the property. Each spring and its associated distribution system would be owned and maintained by the parcel owners that receive water from that spring. Septic tanks will be constructed by the individual lot purchasers at such time as building permits are taken out. Attached is a report prepared by James E. Page, Environmental Health Consultant, that provides the details of both the water supply and sewage disposal systems. Because the California Division of Forestry recommends that each parcel have fire storage of 4,000 gallons rather than larger storage for groups of homes, the Applicant proposes to construct the smaller reservoirs per CDF recommendations.

2000 DRY CREEK RD.
NAPA, CA 94558

JAMES E. PAGE
Environmental Health Consultant
REGISTERED SANITARIAN NO. 851
June 3, 1979

(707) 224-6264

RECEIVED
SEP 12 1979

Chaudhary and Associates
3754 Bel-Aire Plaza
Napa, Calif. 94558

Attention: Kailash Chaudhary

Napa County Conservation,
Development & Planning Commission

Dear Sirs:

On May 16, 1979 I completed an investigation of the Henry Maschal property, located at 1100 Wall Road, with regards to water supply and sewage disposal. I was accompanied by Mr. Jack Rodgers, who has operated a cattle raising enterprise on the ranch for several years.

The purpose of the investigation was to identify sources and potential sources of water, and feasibility of individual sewage disposal systems, to serve a proposed subdivision of the property consisting of fourteen building sites ranging in size from 3.9 to 12.6 acres.

The property is located in an area described by the United States Geological Survey, as having marginal to adequate underground water from wells for single family residential use. In a reconnaissance of the property it appeared that the geologic make-up is essentially Franciscan Rock and Serpentine, with some outcrops and scattered volcanic rocks. This type of formation is generally not conducive to water supply from wells, therefore springs on the property were examined for their potential. Some of the springs were examined by Robert Mahorney P.E. in November of 1974. Flows were measured at that time, and a comparison of those flows, and flows measured at this time, together with a recommended seasonal low flow, are presented in attachment number 1. Descriptions of the springs are presented in attachment number 2. The location of the springs are identified on the preliminary subdivision map.

The property at present supports the Maschal residence, a guest house, and a cattle grazing operation. Domestic water supply is provided by a spring, known as the main gate spring, collected in an 8,400 gallon redwood storage tank, and pumped to a 10,000 gallon terminal storage tank, made of redwood, where it flows by gravity to the residences.

On April 11, 1967 Mr. Maschal was issued license 8578, by the State Water Resources Control Board, to divert 8 acre-feet of water per annum, from an unnamed creek tributary to Dry Creek for the purpose of stockwatering, recreational, and fire protection uses. attachment number 3. On August 28, 1978 The Water Resources Control Board granted permission to change the purpose of use to include domestic uses. attachment number 4. At that time the Board reduced the amount of water that could be diverted, based upon past use, from 8 acre-feet to 4.5 acre-feet, with not more than 2.5 acre-feet to be withdrawn for domestic use.

A 14 acre foot reservoir has been constructed for the purpose of storing the diverted water. The source of the water is storm run-off to the stream that empties into the reservoir and a series of springs in the stream bed, approximately 800 feet upstream from the reservoir. For the purpose of this report I have identified these springs as the annex springs.

In 1976 water was diverted from the annex springs, around the reservoir, by the installation of two plastic pipelines, three fourths, and one and one fourth inches in diameter, from the springs to the outlet of the reservoir, where it is connected to an inch and one half PVC plastic pipe, approximately 5,200 feet in length, terminating next to the 8,400 gallon storage tank by the main gate.

The method proposed to provide domestic water and water for fire requirements to the subdivision is as follows. Four storage tanks will be strategically located in the subdivision. Each tank will serve three or four lots. The tanks will have a capacity of approximately 50,000 gallons each, and will receive water from one or more springs, which would have a yield of at least one gallon per minute for each lot served by that particular tank. This proposal would meet the requirement of Napa County for individual water supply to serve residential purposes, and would provide water in storage to meet fire suppression purposes.

To further investigate the adequacy of the source, a review of water used in an existing subdivision was made. Madrone Knolls Subdivision (Meadowood), located off Silverado Trail, south of St. Helena, and served by the City of St. Helena was chosen. It is assumed that the proposed development would be similar. Eight residences were chosen at random, and water used by each is presented in attachment number 5. The months of maximum water use were September and October, when an average of 34,968 gal. of water was used per residence for that two month period, or an average of 17,484 gallon per month. This would amount to an average daily use of 583 gallons or 0.40 gallons per minute. It can be seen from the foregoing that a source of one gallon per minute per residence, with adequate storage facilities, would provide an adequate domestic water supply, with a reasonable factor of safety.

Sewage is proposed to be disposed of by use of individual sewage disposal systems, consisting of septic tanks and sub-surface effluent disposal. Four soil types prevail on the property, they are the Boomer, Hambright, Bressa, and Lodo Series. In the area of the proposed subdivision the Hambright and Bressa series are predominate.

The Soil Survey Of Napa County, 1978, issued by the United States Department of Agriculture and the University of Calif. identify the soil on the southern portion of the proposed subdivision as Hambright-Rock Complex, 30 to 75 percent slopes. A description of the Hambright Series indicate a shallow topsoil and subsoil, resting on fractured bedrock. They further indicate

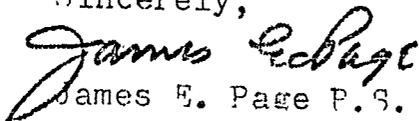
the permeability to be moderate with a high potential for erosion. On the northern portion of the proposed subdivision, soils are identified as the Bressa-Dibble complex, 30 to 50 percent slopes. A description of the Bressa Series indicate a topsoil and subsoil depth of from 33 to 37 inches, resting on soft weathered sandstone. Potential for erosion is moderate to high, and soil permeability is moderately slow.

Because of the shallow soils of the Hambright and Bressa Series, and the permeability of the Bressa Series, special designed sewage disposal systems may be required. This can only be determined by performing soil percolation tests.

The Napa County Board of Supervisors has an adopted policy prohibiting the development of new building sites requiring special designed sewage systems, if the parcels are less than five acres in size. Only one parcel of the proposal falls below this standard. Soil percolation tests can be made on this parcel prior to recordation of the final map, and if a special designed system is indicated it could be justified by engineering data, or the parcel enlarged to the minimum five acres.

In summary, It is my opinion that adequate on site water exists, from springson the property, to serve as a source for a water system to serve fourteen residential parcels, and that individual sewage disposal sysrems can be designed and installed on each parcel, that will adequatly serve a residential unit, without resulting in a health hazard.

Sincerely,


James E. Page P.S.

SPRING FLOW MEASUREMENTS

Identification number	Description	Flow 5/16/79	Flow II/74 (I)	Assumed seasonal low flow
A	Main Gate Spring	6.0 gpm	2.0 gpm	(2)3.0 gpm
B	Horse Barn Spring	1.0 gpm	0.5 gpm	0.5 gpm
C	Spring Across from Horse Barn	estimated 5.0 gpm	-----	2.5 gpm
D	Annex Spring (3)	20.0 gpm	10.0 gpm	1.5 gpm
E	Mercury Mine Spring	9.0 gpm	7.5 gpm	4.5 gpm
F	Indian Rock Spring	5.0 gpm	1.0 gpm	(4) 2.5 gpm
G	Deer Camp Spring	6.7 gpm	4.1 gpm	3.3 gpm

Total flow all sources tested 52.7 gpm

Assumed seasonal flow all sources tested 17.8 gpm

Total flows 1974 reported by Robert Mahorney (5) 17.5 gpm

- (1) Flows measured by Robert Mahorney P.E. November 1974
- (2) 1974 flow assumed 2.0 gpm not tested
- (3) Assumed seasonal low flow equals amount of diversion rights
- (4) 1974 testing only captured 50% of flow
- (5) Reported flows did not include flow from Mercury Mine Spring

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Development & Planning Commission

Description of Springs

For the purpose of this report sources of water are identified alphabetically and are so indicated on the tentative subdivision map.

A. Main Gate Spring: This spring is located near the main entrance to the property. It is a redwood box construction, situated in a depression. Surface run-off can enter the spring development. To be considered a safe source it should be developed to correct this condition.

B. Horse Barn Spring: This spring is located at the rear of a trench excavated into the hillside. It is developed with a redwood box with lid. Surface water can enter the spring. To be considered a safe source it should be developed to correct this condition.

C. Spring Across From Horse Barn : This spring is located on the downslope of the road across from the horsebarn. According to Jack Rodgers, a small flow exists the year around. Flow was not measured but estimated to be approximately 5.0 gallons per minute.

D. Annex Springs: These consist of a series of springs in the creek bed that feeds the storage reservoir. The flow was measured at the free discharge of the inch and one half PVC pipe next to the main gate storage tank. An inspection of the spring area indicates that less than 50% of the flow is being captured with the present development arrangement. Jack Rodgers stated that when they were developed in 1976, an overflow existed to the extent that the reservoir was kept full and overflowing. In 1974 Robert Mahorney measured the flow from this source at the outfall of the reservoir. Two other springs, located on the side-hill above the creek, and downstream of the annex springs, identified as D1 and D2, have been developed and connected to the Annex Springs discharge line. D1 is not producing at this time. D2 was developed at some previous time and only evidenced by a pipe protruding from the hillside. Jack Rodgers estimated that the time it was connected to the Annex Springs, it was producing approximately 0.5 gpm. Any flow from this spring would be included in the measured flow of the Annex Springs.

E. Mercury Mine Spring. This spring appears to originate on the adjacent property. There is some difference of opinion as to the property line in this area, and a survey may resolve whether the spring is on or off the property. Flow was measured by Robert Mahorney in the creek fed by the spring. Flow measurement at this time was by capturing the discharge of a waterfall in the creek fed by the spring.

F. Indian Rock Spring: This spring was at one time developed and served a deer hunter camp, the development is now in

disrepair. Flow was measured by placing a dam in the discharge stream, with water flowing through an inch and one half pipe installed thru the dam.

G. Deer Camp Spring. This spring originates in a gentle sloping meadow area. It was at one time dammed at the outlet and piped to the deer hunter camp. Flow was measured by installing a dam at the outlet, with water flowing thru an inch and one half pipe installed thru the dam. A small flow, estimated to be less than 0.5 gpm was flowing in another direction out of the spring.

Spring flows measured at this time of the year, are not a true indication of their yield during the summer months. Yields should be measured during the months of July or August in order to be more accurate. Spring flows tend to increase in the fall of the year, even though no rain has fallen, due to shorter daylight hours and subsequent reduction in evapo-transpiration. Flows measured in November of 1974, would be expected to be somewhat higher, than they were during the months of July and August.

In reviewing present spring flows, together with those recorded in November 1974, and considering the foregoing, I would assume the seasonal low flows to be equal 50% of the presently recorded flows.

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Nepe County Conservation,
Development & Planning Commission

Recording Requested by
STATE WATER RESOURCES CONTROL BOARD
Pursuant to Government Code Sec. 6103.

Where Recorded Shall be
STATE WATER RESOURCES CONTROL BOARD
Room 1140, Resources Building
Sacramento, California 95814

RECORDED AT REQUEST OF
State Water Res. Cont. Bd. AL 59-17
IN OFFICIAL RECORDS OF
NAPA COUNTY, CALIF
JUN 28 1968
VELVA SWAN, County Recorder

Richard J. ... *Hofer* *Inland* *Concurrent* *Report*



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 20077 PERMIT 14013 LICENSE 4578

THIS IS TO CERTIFY, That **HENRY T. MARCHAL AND RUTH P. MARCHAL**
c/o HARRIS, REAR, FORSTER AND COMPANY,
235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA

HAVE made proof as of **APRIL 11, 1967** (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
AN UNKNOWN CREEK IN NAPA COUNTY

tributary to DRY CREEK THENCE NAPA RIVER

for the purpose of STOCKWATERING, RECREATIONAL AND FIRE PROTECTION USES
under Permit 14013 of the Board and that the right to the use of this water has been perfected in
accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of
this right dates from **OCTOBER 10, 1962** and that the amount of water to which this right is
entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall
not exceed **EIGHT (8) ACRE-FEET PER ANNUM** TO BE COLLECTED FROM ABOUT **NOVEMBER 1** OF
EACH YEAR TO ADJUST **JUNE 1** OF THE SUCCEEDING YEAR.

LICENSEE'S RIGHT HEREUNDER EXTENDS ONLY TO WATER NECESSARY TO KEEP THE
RESERVOIR FULL BY REPLACING WATER BENEFICIALLY USED OR LOST THROUGH EVAPORATION
AND SEEPAGE, AND TO REFILL IF EMPTIED FOR NECESSARY MAINTENANCE OR REPAIR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:
SOUTH 1,000 FEET AND EAST 500 FEET FROM NW CORNER OF SECTION 24, 7TH, 86N, 1000W,
BEING WITHIN 3/4 OF NW 1/4 OF SAID SECTION 24.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:
WITHIN 3/4 OF NW 1/4 OF SECTION 24, 7TH, 86N, 1000W.

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Development & Planning Commission

**POOR
QUALITY
ORIGINAL (S)**

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Vol. 789 Page 679

Napa County Conservation,
Development & Planning Commission

Licenses shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby conferred to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein conferred subject to the following provisions of the Water Code:

- Section 1421. Each license shall be in such form and contain such terms as may be prescribed by the Board.*
- Section 1424. All licenses shall be under the terms and conditions of this division (of the Water Code).*
- Section 1427. A license shall be effective for such place as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with the division (of the Water Code) but no longer.*
- Section 1428. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of the article and the statement that any appropriation of water to which a license is hereto made the licensee subject to the conditions therein expressed.*
- Section 1429. Every licensee who accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or required under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the service or the price of the service to be rendered by any licensee or by the holder of any rights granted or required under the provisions of the division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possession of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).*
- Section 1430. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.*
- Section 1431. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.*

Dated: JUN 24 1968

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodhouse
Chief, Division of Water Rights

END OF DOCUMENT

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 20977

PERMIT 14013

LICENSE 8578

ORDER ALLOWING CHANGE IN PURPOSE OF USE AND PLACE OF USE

WHEREAS:

1. PETITIONS FOR CHANGE IN PURPOSE OF USE AND PLACE OF USE UNDER LICENSE 8578 HAVE BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD, AND SAID BOARD HAS DETERMINED THAT GOOD CAUSE FOR SUCH CHANGES HAS BEEN SHOWN.
2. LICENSE 8578 WAS ISSUED TO HENRY T. AND RUTH P. MASCHAL, AND WAS RECORDED WITH THE COUNTY RECORDER OF NAPA COUNTY ON JUNE 28, 1968 IN VOLUME 789, PAGE 677.
3. THE BOARD HAS DETERMINED THAT THE CHANGES IN PURPOSE OF USE AND PLACE OF USE WILL NOT OPERATE TO THE INJURY OF ANY OTHER LEGAL USER OF WATER INVOLVED.
4. THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS, TO SIGN THIS ORDER.

NOW, THEREFORE, IT IS ORDERED THAT:

1. PERMISSION IS HEREBY GRANTED TO CHANGE THE PURPOSE OF USE UNDER LICENSE 8578 TO PURPOSES OF USE DESCRIBED AS FOLLOWS:

STOCKWATERING, RECREATIONAL, FIRE PROTECTION, AND DOMESTIC

2. PERMISSION IS HEREBY GRANTED TO CHANGE THE PLACE OF USE UNDER LICENSE 8578 TO A PLACE OF USE DESCRIBED AS FOLLOWS:

- (1) STOCKWATERING, RECREATIONAL, AND FIRE PROTECTION USES WITHIN SW1/4 OF NW1/4 OF SECTION 24, T7N, R6W, MDB&M, AND
- (2) FIRE PROTECTION USES WITHIN SW1/4 OF SE1/4 OF SECTION 24, T7N, R6W, MDB&M.

3. THE QUANTITY OF WATER WITHDRAWN FROM STORAGE UNDER LICENSE 8578 SHALL NOT EXCEED 4.5 ACRE-FEET PER ANNUM TOTAL FOR STOCKWATERING, RECREATIONAL, FIRE PROTECTION, AND DOMESTIC USES AND EVAPORATION AND SEEPAGE LOSSES. NOT MORE THAN 2.5 ACRE-FEET PER ANNUM OF THE 4.5 ACRE-FEET WITHDRAWAL SHALL BE WITHDRAWN FOR DOMESTIC USE.

R. L. ROSENBERGER, CHIEF
DIVISION OF WATER RIGHTS

DATED: AUGUST 28 1978

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Napa County Conservation,
Development & Planning Commission

WATER USED BY EIGHT
RESIDENCES, SELECTED AT RANDOM
IN MEADOWOOD SUBDIVISION 1978
(gallons)

MONTH	#1	#2	#3	#4	#5	#6	#7	#8	Total	Average (2) 2 mo. (1) 1 mo.
Jan.	7,500	8,250	3,000	8,250	18,000	13,500			58,500	(2) 9,750 (1) 4,785
Feb.										
Mar.	7,500	9,000	3,000	7,500	17,250	12,750		15,750	72,750	(2) 10,392 (1) 5,196
April										
May	17,250	12,000	11,250	39,000	23,250	36,750		81,000	220,500	(2) 31,500 (1) 15,750
June										
July	22,500	15,750	13,500	13,500	36,750	38,250		64,500	204,750	(2) 29,250 (1) 14,625
Aug.										
Sept.	18,750	12,750	7,500	33,750	57,750	34,500	14,250	100,500	279,750	(2) 34,968 (1) 17,484
Oct.										
Nov.	12,000	10,500	3,000	21,000	34,500	30,750	10,500	17,250	139,500	(2) 17,437 (1) 8,718
Dec.										

Maximum month Sept. Oct. average 17,484 gal. per residence per mo.
 $17,484 \div 30 = 582$ gal. per day

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Napa County Conservation,
Development & Planning Commission

THOMPSON
BOLIN &
MAHORNEY

RAMS
RECEIVED
FEB 25 1975

CIVIL ENGINEERS
LAND SURVEYORS

DIVISION OF
ENVIRONMENTAL HEALTH

Van
Health Department
Division of Environmental Quality Control
County of Napa
1123 First Street
Napa, California 94558

Re: Water Availability
Tentative Parcel Map
Lands of Henry T. Maschal

Dear Sirs:

In lieu of the standard "Well Driller's Statement" the following data is submitted as certification of water availability for purposes of review of the subject Tentative Parcel Map of the Lands of Henry T. Maschal.

On November 4, 1974, prior to the first rains of the season the subject site was physically examined by me. Several springs were noted and found to originate on the property of Mr. Maschal. Dry Creek was found to rise from three or more springs on the lands of Maschal as indicated on Parcel 5 of the Tentative Parcel Map. The existing reservoir was full and spilling a volume of water approximately equal to that entering said reservoir at the time of the site examination.

On November 21, 1974, another site inspection was made. Mr. Van Woerkom, of your Department, accompanied Mr. Maschal and myself on a tour of the property and the subject springs were noted and physically examined. Free flow of water was noted at this time at points A, B, C, D & E indicated on the Tentative Parcel Map. Mr. Van Woerkom was informed of the springs at points "F" and "G" which presently flow directly (through pipes) into existing storage tanks of 1,000 gallons[±] and 10,000 gallons[±] respectively. In addition, mention was made of the fact that spring "G" presently served the Maschal residence by float-controlled pumping from the 10,000 gallon[±] tank adjacent to spring "G" to another 10,000 gallon tank near and above the residence.

In conference after the site tour, it was determined that if actual flow data indicated sufficient water was available for the then undetermined development, it appeared that this would most probably be considered sufficient evidence of "water availability" as normally certified by a knowledgeable well driller. To this end the following test data was accumulated.

<u>Point</u>	<u>Description of Point</u>	<u>Tested Flow</u>
"A"	36" CMP in stream below existing reservoir on Dry Creek	9.4 gpm
"B"	Outfall of existing reservoir on Dry Creek	10.0 gpm
"C"	Spring called Deer Camp Spring on proposed Parcel 8	4.1 gpm
"D"	Spring called Indian Rocks Spring on proposed Parcel 8	1.0 gpm
	Note: Collection system collected approximately 50% of the flow at this location.	
"E"	Stream (unnamed) from off the Maschal property entering proposed Parcel 6	7.5 gpm
"F"	Spring named Horse Barn Spring at outfall (pipe) of 1,000 gal.± redwood storage tank on proposed Parcel 2	0.5 gpm
"G"	Spring named Main Gate Spring on proposed Parcel 2	Untested

Note: This spring supplies a float-controlled stock watering tank and a 10,000 gal.± redwood tank that supplies a 10,000 gal.± tank above the Maschal residence. (Watering tank and 1st 10,000 gal. tank were full and spilling at time of examination.) No way to measure flow. (Assumed 2 gpm for calculation purposes.)

All lettered points are as shown on the Tentative Parcel Map. Flows were tested by numerically averaging the time required to fill to overflowing a new 5.0 gallon plastic bucket. (Flow at "F" was per filling of a new 2.1 gallon plastic bucket.)

Total yield measured from springs including spring "G" ("B" + "C" + "D" + "F" + "G") equaled 17.5 gpm±. Average flow at 17.5 gpm. = 25,200 gpd. At 300 gpcd this flow would support eighty-four (84) people. Density proposed is approximately eight units x four people/unit = thirty-two (32).

Therefore, the spring flow is considered more than adequate for purposes of review of the Tentative Parcel Map. As the flows were obtained at the end of the dry season prior to any runoff or underground recharging occurring, I consider the springs reliable and subject to no more or less change than wells would be.

I hereby certify the above data as presented. Please contact me if you have any questions.

Very truly yours,



Robert G. Mahorney, P.E.

RGM:w



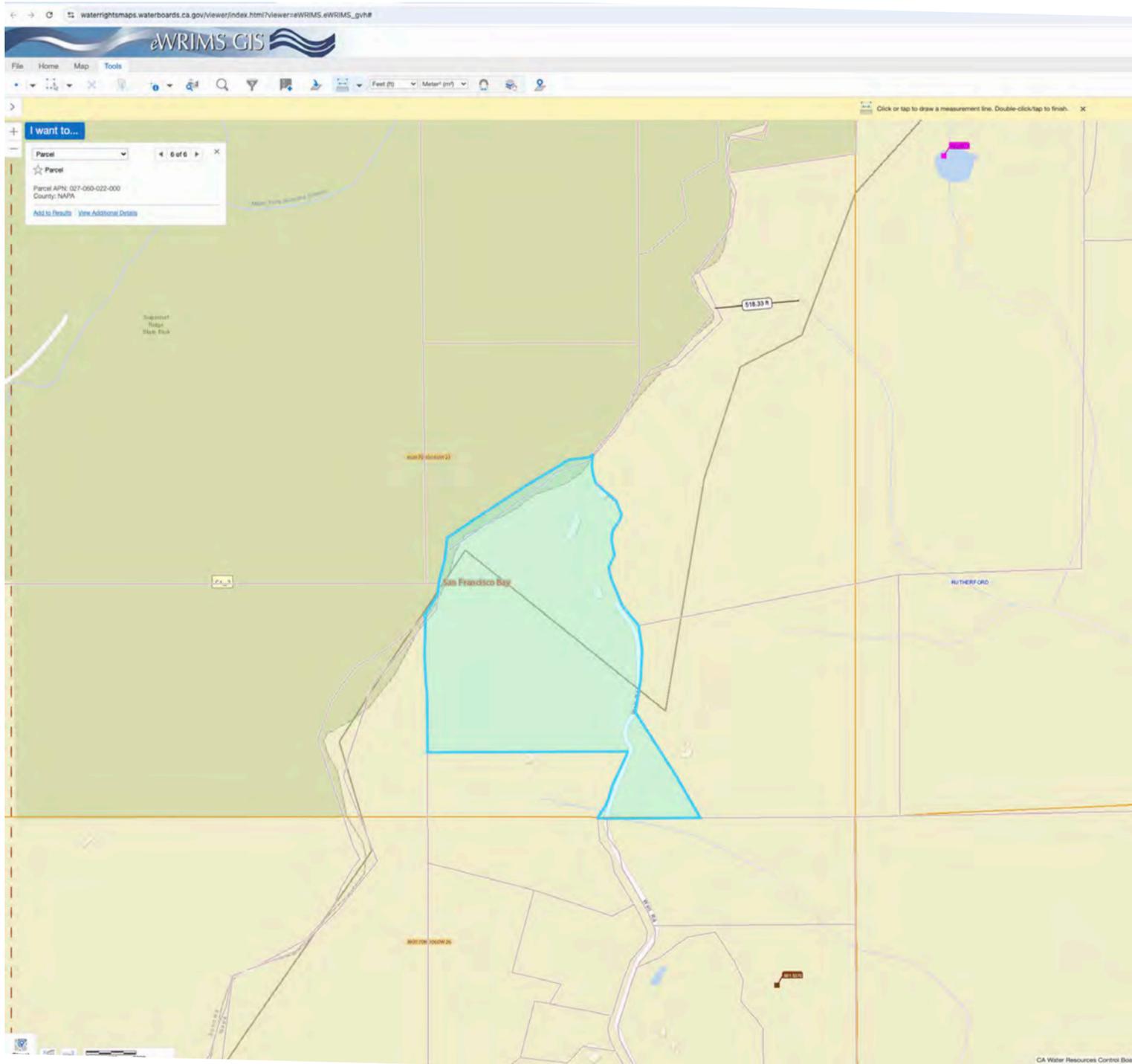


Exhibit 2

Environmental

APN	642 - 740 - 055 - 000
PARCEL#	
PROGRAM	40
DOCTORS	park
Street #	1109
Street Name	Yell St
Year	1968



DIVISION OF ENVIRONMENTAL HEALTH
 Department of Public Health
 1123 First Street - 253-4471
 Napa, CA 94558

DATE 5-1-84

TO File FROM DAVID T. OSUGI
 SUBJECT DEVELOPMENT OF SPRING FOR A.P.N
27-060-14, 19

FOR: Initial Signature Approval Comments Discussion Information

PLEASE: File Return Draft Reply Route To _____

MESSAGE: Met With R. Hunter + Hall Construction At
Site of Spring. B. MAHERNEY Will Submit Plan
For Water System. Surface Diversion Will Be Provided
Instead of French Drain. No other Sources of
Potential Contamination in Vicinity of Spring.

EH 121

180

DIVISION OF ENVIRONMENTAL HEALTH
 1195 Third Street, Room 205
 Napa, CA 94559 (253-4471)

TO DAVE & Keith
 FROM Ralph

DATE 4/3/84

SUBJECT Robin Williams, 1100 WALL Road
WATER System

FOR () Initial () Signature () Approval () Comments () Discussion Info.

PLEASE File () Return () Draft Reply () Route To _____

MESSAGE Advised Mr. Hall, the general contractor, that
their proposal for Spring development was unacceptable.
Suggested they contact an Engineer to work with them.
He wanted someone on the site to advise on
construction of the system as they excavate - I told
him we can't afford to do that. I did say I
would be willing to look at the site the week of
APR. 16-20, HE may call back.

EH 121
 Revised 5/81

AND WHEN RECORDED MAIL TO

NAPA COUNTY
CONFORMED COPY
SERIAL NO. DE7590
DATE RECORDED APR 29 1983
NOT COMPARED

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Environmental

Cover Sheet

APN	027 -DWO -023 -000
Permit #	
Program	WPL
DocType	EAS
Street #	1100
Street Name	Wall Rd
Year	1983



AGREEMENT FOR GRANT OF EASEMENTS AND WATER RIGHTS
FOR Property Line Adjustment

THIS AGREEMENT, made this 29 day of April, 1983, by and between
Valerie Velardi/Robin Williams hereinafter re-
ferred to as "Grantor", whose address is 1100 Wall Road, Glen Ellen, CA. 95442
and the COUNTY OF NAPA, hereinafter referred to as "the County".

W I T N E S S E T H

WHEREAS, Grantor is the owner of real property in the County of Napa, State
of California, Assessor's Parcel Number 27-060-19 described on Exhibit "A"
attached hereto. Owner intends to make a property line adjustment. All
references herein are to those parcels as shown on Exhibit "A". There is or
will be located on parcel number one a Spring
which shall serve domestic water to parcel(s) two.

WHEREAS, the County, pursuant to Title V, Article 2, Chapter 6 of the Napa
County Code requires that every new single-family dwelling unit have an approved
water supply system and such system will be located on a separate parcel of
record, namely Parcel Number one which will provide water for domestic
purposes to Parcel(s) Number two and

NOW, THEREFORE, the parties hereto do hereby agree as follows:

(1) Parcel Number(s) two shall have a non exclusive appurtenant
easement over and across Parcel Number(s) one for the installation and
maintenance of spring and water system, including water tank, water pipeli

and pressure tank, all as shown on Exhibit "A".

(2) Parcel Number(s) one shall have a non exclusive right
to utilize 1/2 of all water produced from subject spring

(3) When and if title to any of Parcel Number(s) two shall be
conveyed or transferred, Grantor agrees that the grantee of such parcel shall
receive a non exclusive appurtenant easement and water rights, consistent with
the terms of this agreement and described by reference to the filed parcel
map, conveying the easement or easements and water right provided for by
this agreement in respect of such parcel. When and if title to any of
Parcel Number(s) one shall be conveyed or transferred, Grantor agrees
to reserve such an easement and water rights for the benefit of Parcel
Number(s) two

(4) The easement and water rights provided for hereby shall continue until
such time as a Public Water System line is extended to Parcel Number(s)
two and is available for service thereto or an approved water source
is developed on the parcel to serve Parcel Number(s) two, at which
time the particular easement serving said parcel shall automatically terminate

(5) The rights herein granted shall bind Grantor's successors and assigns
and shall inure to the benefit of future grantees of Parcel Number two
and their respective heirs, successors and assigns.

(6) The execution of this agreement and compliance with the terms herein
are a condition precedent to the filing of the subject property line adjustment

(7) To ensure that the rights of subsequent Grantee's are protected the
County will record this agreement.

Executed this 29 day of April, 1983.

1

1282 400

NAPA COUNTY
CONFORMED COPY
SERIAL NO. DE7590
DATE RECORDED APR 29 1983
NOT COMPARED

AGREEMENT FOR GRANT OF EASEMENTS AND WATER RIGHTS
FOR Property Line Adjustment

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2

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time the particular easement serving said parcel shall automatically terminate

(5) The rights herein granted shall bind Grantor's successors and assigns
and shall inure to the benefit of future grantees of Parcel Number two
and their respective heirs, successors and assigns.

(6) The execution of this agreement and compliance with the terms herein
are a condition precedent to the filing of the subject property line adjustment

(7) To ensure that the rights of subsequent Grantee's are protected the
County will record this agreement.

Executed this 29 day of April, 1983.

3

STATE OF CALIFORNIA)
COUNTY OF NAPA)

On this 29 day of April, 1983, in the year 1983, before me, DORIS M. BROWN, a Notary Public, State of California, did personally appear Valerie Velardi/Robin Williams, personally known to me or by 30-202 sufficient disinterested witnesses of the County of Napa, CA, in the presence who executed the above instrument on behalf of said individual person, and acknowledged to me that each of them executed the same.

I, DORIS M. BROWN, a Notary Public, State of California, do hereby certify that I have become duly qualified and qualified by official oath in the County of Napa the day and year in this certificate hereon written.

Doris M. Brown
Notary Public, State of California

Valerie Velardi/Robin Williams
Grantor

Exhibit 4

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
 1195 Third Street, Rm. 210
 Napa, California, 94559
 (707) 253-4416

INITIAL STUDY (REVISED APRIL 14, 1992)

PROJECT NAME: Tentative Parcel Map #9178-PM (Williams)

PROJECT DESCRIPTION: Request for approval of a tentative parcel map to divide 336.8 acres into three (3) parcels of 251.6 acres, 45 acres, and 40.2 acres, located north of the terminus of Wall Road within a AW (Agricultural Watershed) zoning district (Assessor's Parcel No. 27-060-21). 1100 Wall Road, Napa.

JURISDICTIONAL BACKGROUND:
Public Plans and Policies

Based on an initial review, the following findings have been made for the purpose of the Initial Study and do not constitute a final finding by the County in regard to the question of consistency.

	YES	NO	N/A
Is the project consistent with:			
a) Regional and Subregional Plans and Policies?	—	—	<u>X</u>
b) LAFCOM Plans and Policies?	—	—	<u>X</u>
c) The County General Plan?	—	<u>X</u>	—
d) Appropriate City General Plans?	—	—	<u>X</u>
e) Adopted Environmental Plans and Goals of the Community?	—	<u>X</u>	—
f) Pertinent Zoning?	<u>X</u>	—	—

Responsible (R) and Trustee (T) Agencies

Other Agencies Contacted

County Building Inspection Division
 County Environmental Mgmt. Dept.
 County Public Works Dept.
 County Assessor
 County of Sonoma
 Napa County R.C.D.
 Calif. Dept. of Fish and Game
 Calif. Dept. of Forestry
 St. Helena Unified School District

ENVIRONMENTAL SETTING: The project site consists of moderately steep rolling terrain located on the west County line just east of Bald Mountain in the Mayacamas Range. Access to the site is via Wall Road, a 2.0 mile long paved dead-end County road which varies in width from 15 to 18 feet. Slopes average approximately 25 percent on proposed Parcels #1 and #2 and 35 percent on proposed Parcel #3. The slopes at the proposed building sites range from 0 to 10 percent. A graded dirt road exists along the ridgeline to the two proposed building sites. The predominate soil type on site is the Boomer-Forward-Felta complex. The hazard of erosion ranges from slight to moderate for the three different soils within the complex. Vegetation consists of oak woodland interspersed with historically cleared grass areas. Dry Creek and its headwaters traverse the entire property. Existing improvements on site include two single family dwellings and an agricultural outbuilding on proposed Parcel #1, and six acres of vineyards. The applicant also owns an adjoining 224-acre parcel to the north which contains a single family dwelling. Surrounding land uses include a mixture of rural residential, agricultural and open space uses. The property adjoins Sugarloaf Ridge State Park, located directly adjacent to the west.

Environmental

Cover Sheet

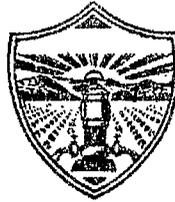
APN	027 - 060 - 023 - 000
Permit #	
Program	Well
DocType	YT
Street #	1100
Street Name	Wall Rd
Year	1993



OAKVILLE PUMP SERVICE

SALES & SERVICE
NEW & USED
WELL TESTING
FIELD WORK
PULL & SET
MACHINE SHOP
WELDING C-60
ELECTRICAL C-10
PLUMBING C-38

Pumps



Water Systems

CENTRIFUGAL PUMPS
DEEP WELL PUMPS
IRRIGATION PUMPS
SUBMERSIBLES
SEWAGE SYSTEMS
WINE PUMPS
PRESSURE SYSTEMS
SPECIALTY DESIGN & MFG.
OZONATION

P.O. BOX 435 HIGHWAY 29 AT WALNUT DRIVE
OAKVILLE, CALIFORNIA 94562
(707) 944-2471

Jan 5, 1993

Williams Ranch
Attn: Brian Nuss FAX # 415-750-0574
1100 Wall Rd
Napa, Ca. 94558

RE: Spring Yield report Dated Jan 4, 1993

Sir:

The spring test is complete and the results are noted below.

Time:	Yield	Clarity	
1200	7.5 gpm	0	
1300	7.5 gpm	0	
1400	7.5 gpm	0	Note: approx low tide
1500	7.5 gpm	0	
1600	7.5 gpm	0	
1700	7.5 gpm	0	
1900	7.5 gpm	0	

Clarity:

The Clarity scale indicates the turbidity of the incoming water. In this instance 0 is clear and 10 is mud.

Yield Summary:

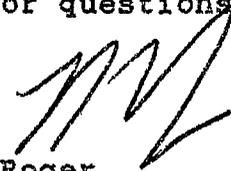
In this test the spring yield is 7.5 gpm

Spring Info:

1. The spring was updated and brought to Environmental health standards in 1983. At that time the spring was developed underground to preclude surface contamination.
2. This spring was developed with gravel backfill and goes into a spring box and then into two 12,000 gallon storage tanks, that are approximately 50 ft from the spring. The water is stored here and then also runs into two more 12,000 gallon storage tanks for downstream use. Total Storage capacity is 48,000 gallons of water.

Thankyou for letting us be of service. If you should have any comments or questions please give me a call.

Thanks


Roger



WELL DRILLING & PUMPS, INC.
 18715 ARNOLD DRIVE
 SONOMA, CA 95476
 (707) 996-1819

SINCE 1931

RECEIVED
 MAR 28 1983
 DIVISION OF ENVIRONMENTAL HEALTH

WELL INSPECTION AND TESTING REPORT

Test requested by MR. BRIAN NUSS Date MARCH 21, 1983
 Address P.O. BOX 724 City GLEN GLEN, CA 95442

Property owner MR. BRIAN NUSS Phone _____
 Address 1100 WASH ROAD City GLEN GLEN

BILLING ADDRESS IF DIFFERENT THAN ABOVE

Name SAME Address _____
 ESCROW# _____

WELL DRILLED BY SPRING FLOW 1ST YEAR

WELL INFORMATION

WELL DEPTH N/A STANDING WATER LEVEL _____ CASING SIZE _____
 SANITARY SEAL N/A

WELL CAPACITY TEST

APPROXIMATELY 5 1/4 GALLONS PER MINUTE - AFTER 4 HOURS OF
 TESTING ON THIS DATE OF 3-21-83
 (DATE)
 STANDING WATER LEVEL _____

REMARKS OR RECOMMENDATIONS: _____

PUMP SYSTEM

MAKE OR MODEL OF PUMP _____ HP _____
 TYPE OF TANK _____
 APPROXIMATE AGE OF PUMP AND TANK N/A
 CONDITION OF PUMP SYSTEM _____

REMARKS OR RECOMMENDATIONS: _____

WATER SAMPLE FOR COLIFORM BACTERIA TEST TAKEN _____ DATE _____
 (yes or no)

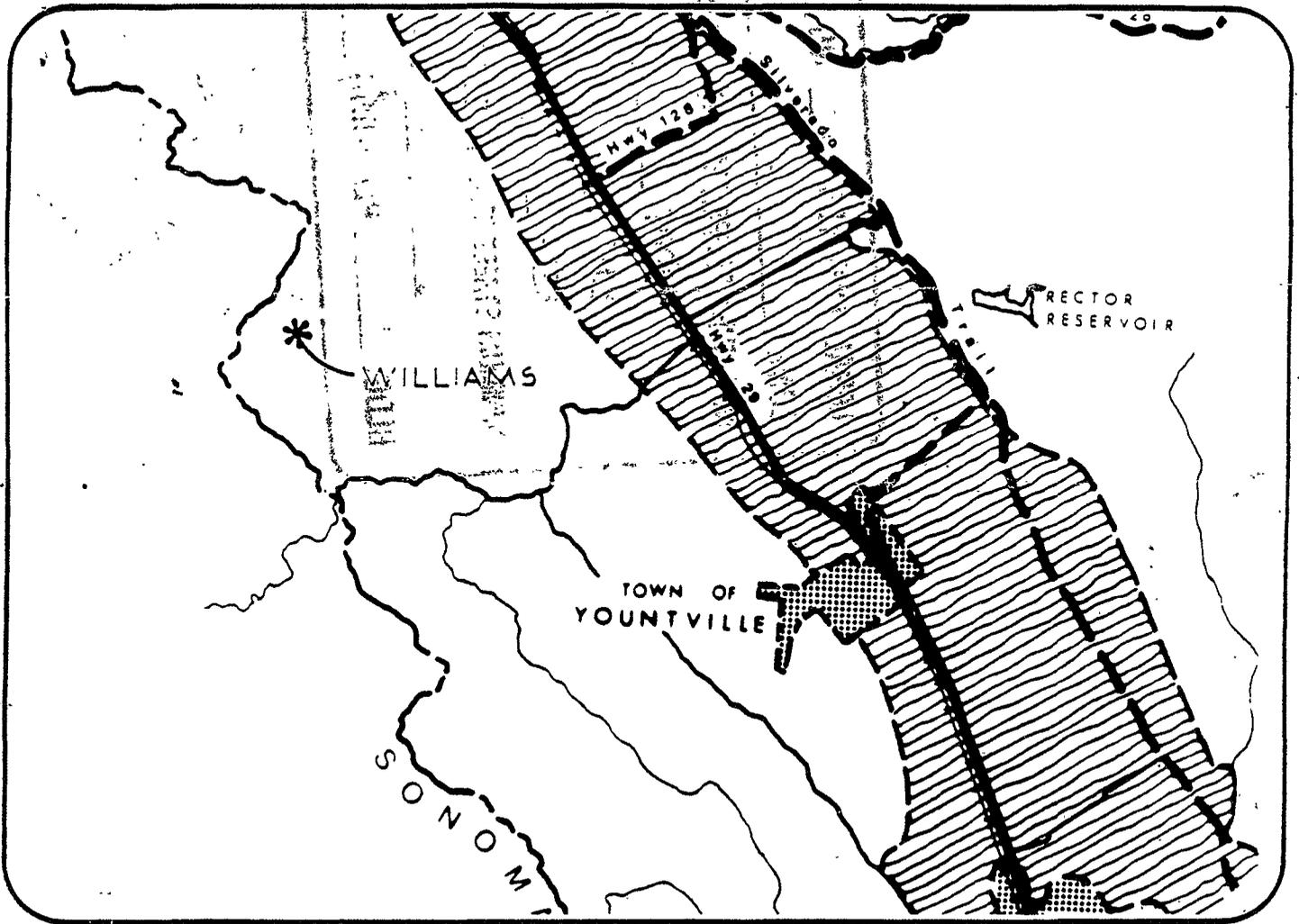
Date _____

Raymond J. Larbre

PLEASE NOTE THAT ALL INFORMATION LISTED ABOVE IS ACCURATE ONLY ON DATE OF TESTING. WATER SAMPLES NOT TESTED FOR MINERAL CONTENT.

PLEASE note: THIS TEST WAS PERFORMED FOR AN EXISTING SPRING - ONLY - !

NAPA COUNTY LAND USE PLAN 1989-2000



LEGEND

TRANSPORTATION

-  LIMITED ACCESS HIGHWAY
-  MAJOR ROAD
-  SECONDARY ROAD
-  RAILROAD
-  AIRPORT
-  LANDFILL SITE

OPEN SPACE

-  AGRICULTURE, WATERSHED & OPEN SPACE
-  AGRICULTURAL RESOURCE

URBAN

-  CITIES
-  URBAN RESIDENTIAL
-  RURAL RESIDENTIAL
-  COMMERCIAL
-  INDUSTRIAL
-  PUBLIC - INSTITUTIONAL

SCALE IN MILES
0 2



APN 27-060-21
8-26-91
7A PM

WILLIAMS

1100 Wall Rd
AW
Napa Calif.

APNS APPROVED
Dept of Environmental Mgmt.
County of Napa

BY (MGP) DATE 4/24/92

RECEIVED
OCT 20 1992

DEPT. OF ENVIRONMENTAL MANAGEMENT

Mt. St. John
Elev. 2075

LEGAL LOT	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
ZONE	AW			
MINIMUM PROPERTY LINE SETBACKS:				
FRONT	20			
SIDE	20			
REAR	20			
MINIMUM STREET CENTERLINE SETBACK:	48 ft R/W			
BLDG.	CE PLANNING			
	12/20/92			

APN 27-060-21
336.8 Ac.

20' setback

100' setback

600'
From Existing house

5
6

AW

- 1 o Water storage Tank
- 2 o Shed
- 3 o Existing Residence
- 4 o Septic
- 5 o Solar panels
- o BARN

#629?

SCALE
0 1200'

LL

QUADRUPPLICATE For Local Requirements

STATE OF CALIFORNIA WELL COMPLETION REPORT

E16-00172

DWR USE ONLY - DO NOT FILL IN

STATE WELL NO./STATION NO.

LATITUDE LONGITUDE

APN/TRS/OTHER

Page of

Owner's Well No.

No. 0992234

Date Work Began 3-30-16 Ended 4-8-16

Local Permit Agency Napa County

Permit No. E16-00172 Permit Date 3-30-16

GEOLOGIC LOG

DEPTH FROM SURFACE	ORIENTATION (°)	DRILLING METHOD	FLUID	DESCRIPTION
0	VERTICAL	rotary	mud	Describe material, grain size, color, etc.
0-20				brown clay & rock
20-220				gray, streaks of rock
220-500				gray clay, streaks of shale & gray sandstone
500-570				blue shale

WELL OWNER

Name: [Redacted]

Mailing Address: [Redacted]

City: Napa State: CA ZIP: 94558

Address: 1700 W. La Jolla Rd.

County: Napa

APN Book: [Redacted] Page: [Redacted] Parcel: 027-0260-020

Township: [Redacted] Range: [Redacted] Section: [Redacted]

Lat: [Redacted] Long: [Redacted]

LOCATION SKETCH

ACTIVITY ()

NEW WELL

MODIFICATION/REPAIR

— Deepen

— Other (Specify)

DESTROY (Describe Procedures and Materials Under "GEOLOGIC LOG")

USES ()

WATER SUPPLY

Domestic Public

Irrigation Industrial

MONITORING

TEST WELL

CATHODIC PROTECTION

HEAT EXCHANGE

DIRECT PUSH

INJECTION

VAPOR EXTRACTION

SPARGING

REMIEDIATION

OTHER (SPECIFY)

Illustrate or Describe Distance of Well from Roads, Buildings, Fences, Rivers, etc. and attach a map. Use additional paper if necessary. PLEASE BE ACCURATE & COMPLETE.

WATER LEVEL & YIELD OF COMPLETED WELL

DEPTH TO FIRST WATER 210 (Ft.) BELOW SURFACE

DEPTH OF STATIC WATER LEVEL 210 (Ft.) & DATE MEASURED 4-8-16

ESTIMATED YIELD 20 (GPM) & TEST TYPE AIR LEFT

TEST LENGTH 3 (Hrs.) TOTAL DRAWDOWN 550 (Ft.)

* May not be representative of a well's long-term yield.

DEPTH FROM SURFACE	BORE-HOLE DIA. (inches)	CASING (S)						ANNULAR MATERIAL				
		TYPE ()	MATERIAL / GRADE	INTERNAL DIAMETER (Inches)	GAUGE OR WALL THICKNESS	SLOT SIZE IF ANY (Inches)	DEPTH FROM SURFACE	TYPE	CEMENT ()	BENTONITE ()	FILL ()	FILTER PACK (TYPE/SIZE)
0-54	12"	X	PLASTIC	6"	2.00		0-54	X				
54-215	10"	X	"	"	"		54-570				WELL PACK #6	
215-570	6"	FACT	PIPE	"	"	3/32						

- ATTACHMENTS ()
- Geologic Log
 - Well Construction Diagram
 - Geophysical Log(s)
 - Soil/Water Chemical Analyses
 - Other
- ATTACH ADDITIONAL INFORMATION, IF IT EXISTS.

CERTIFICATION STATEMENT

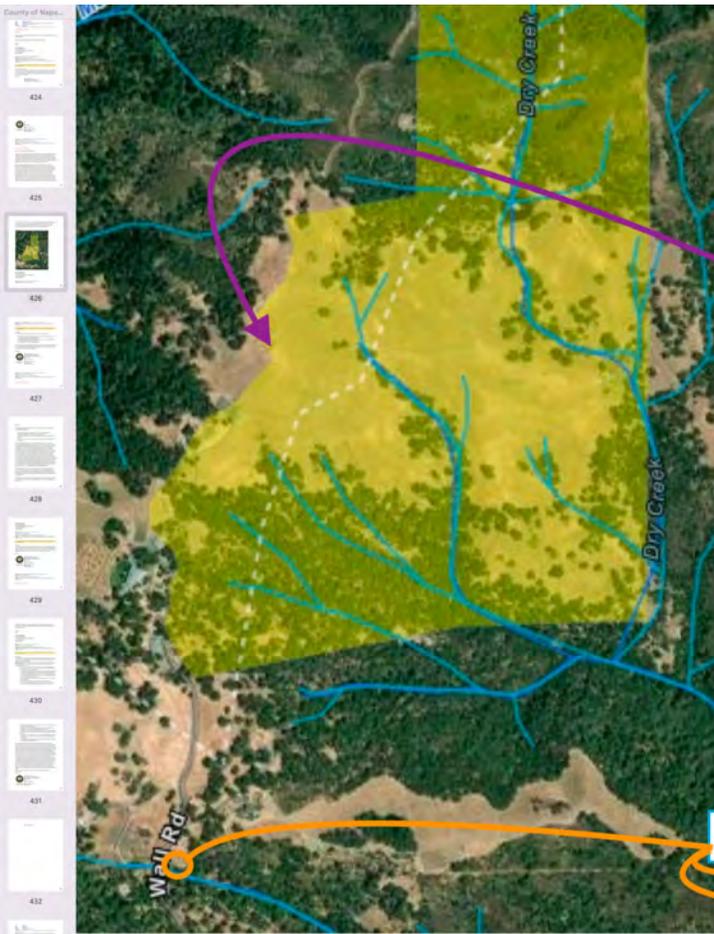
I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.

NAME: Pulliam Well Drilling

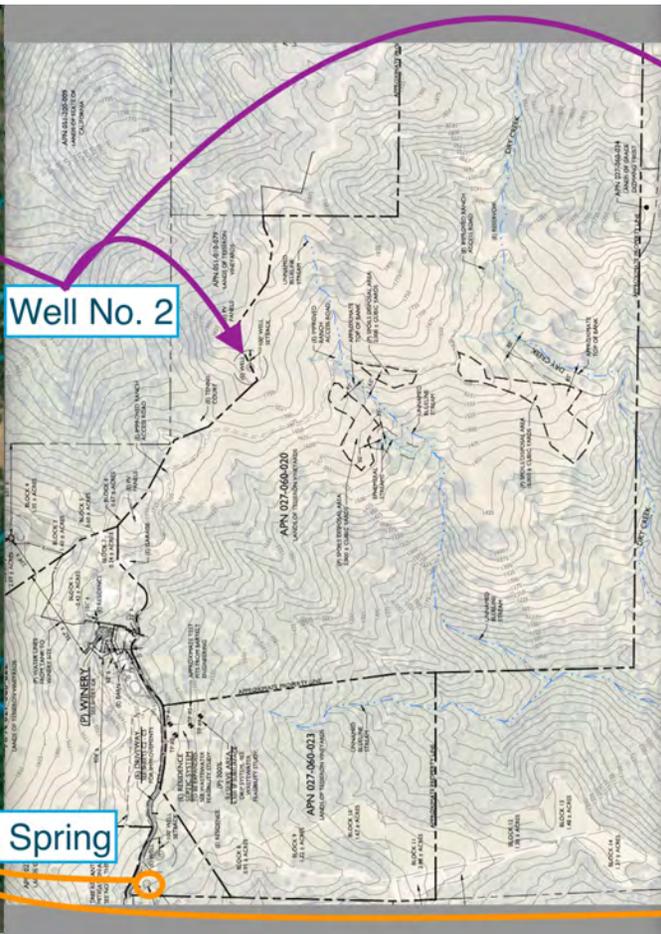
ADDRESS: 2877 Piedmont Av. Napa, CA 94558

Signed: [Signature] DATE SIGNED: 5-10-16

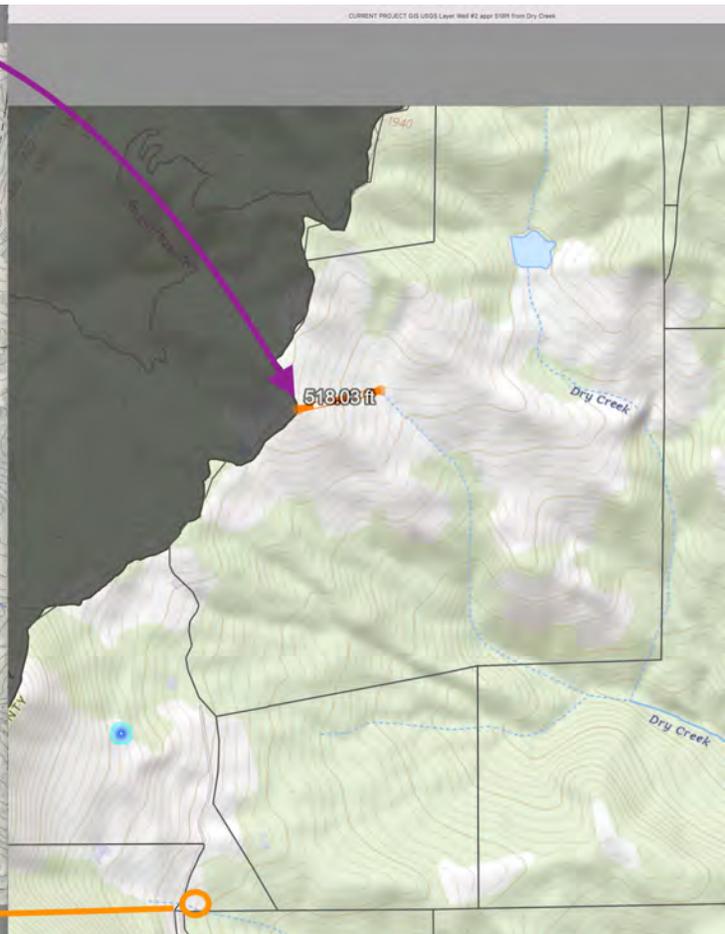
C-57 LICENSED WATER WELL CONTRACTOR



CDFW California Aquatic Resources Inventory
Screen shot page 426



C1 Overall Site Plan page 144



Current Project (Not included in application)
created by Water Audit California